



Patent Attorney Docket No. 034107-046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Robert M. Winslow et al.

Group Art Unit: 1653

Application No.: 10/501,171

Examiner:

Filing Date: September 27, 2004

Confirmation No.: 7868

Title: METHODS AND COMPOSITIONS FOR OXYGEN TRANSPORT COMPRISING MODIFIED HEMOGLOBIN IN PLASMA

**FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a **FIRST** Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

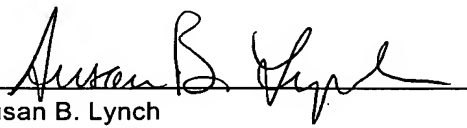
- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Suite 400  
402 W. Broadway  
San Diego, CA 92101-3542  
(619) 446-5600

By   
Susan B. Lynch  
Registration No. 51,979

Date: November 5, 2004



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| In re Patent Application of       | ) |                      |
| Robert W. WINSLOW et al.          | ) | Group Art Unit: 1653 |
| Application No.: 10/501,171       | ) | Examiner: Unassigned |
| Filed: September 27, 2004         | ) |                      |
| For: METHODS AND COMPOSITIONS FOR | ) |                      |
| OXYGEN TRANSPORT COMPRISING       | ) |                      |
| MODIFIED HEMOGLOBIN IN PLASMA     | ) |                      |
| _____                             | ) |                      |

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

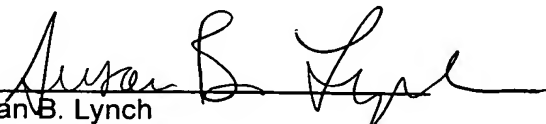
In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

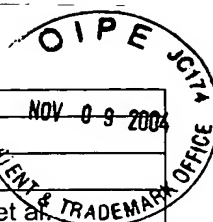
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date November 5, 2004

By:   
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Registration No. 51,979

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San Diego, CA 92101  
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|  |        |                               |                          |
|--|--------|-------------------------------|--------------------------|
| <b>FIRST<br/>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><small>(use as many sheets as necessary)</small> |        | <b>Complete if Known</b>      |                          |
|  |        | <b>Application Number</b>     | 10/501,171               |
|  |        | <b>Filing Date</b>            | September 27, 2004       |
|  |        | <b>First Named Inventor</b>   | Robert M. WINSLOW et al. |
|  |        | <b>Examiner Name</b>          | Unassigned               |
| <b>Sheet</b>   | 1 of 1 | <b>Attorney Docket Number</b> | 034107-046               |

| U.S. PATENT DOCUMENTS |                 |                      |   |                                     |
|-----------------------|-----------------|----------------------|---|-------------------------------------|
| Examiner Initials     | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|                       | 3,925,344       |                      | Mazur   | 12-09-1975                          |
|                       | 4,001,401       |                      | Bonson et al.                                   | 01-04-1977                          |
|                       | 4,061,736       |                      | Morris et al.                                   | 12-06-1977                          |
|                       | 4,473,496       |                      | Scannon   | 09-25-1984                          |
|                       | 4,529,719       |                      | Tye   | 07-16-1985                          |
|                       | 4,584,130       |                      | Bocci et al.                                    | 04-22-1986                          |
|                       | 4,600,531       |                      | Walder  | 07-15-1986                          |
|                       | 4,826,811       |                      | Sehgal et al.                                   | 05-02-1989                          |
|                       | 4,857,636       |                      | Hsia  | 08-15-1989                          |
|                       | 5,028,588       |                      | Hoffman et al.                                  | 07-02-1991                          |
|                       | 5,194,590       |                      | Sehgal et al.                                   | 03-16-1993                          |
|                       | 5,250,665       |                      | Kluger et al.                                   | 10-05-1993                          |
|                       | 5,296,465       |                      | Rausch et al.                                   | 03-22-1994                          |
|                       | 5,661,124       |                      | Hoffman et al.                                  | 08-26-1997                          |
|                       | 5,814,601       |                      | Winslow et al.                                  | 09-29-1988                          |
|                       | 6,054,427       |                      | Winslow   | 04-25-2000                          |

| FOREIGN PATENT DOCUMENTS |                 |                      |         |                                  |             |
|--------------------------|-----------------|----------------------|---------|----------------------------------|-------------|
| Examiner Initials        | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | Translation |
|                          |                 |                      |         |                                  | Yes No      |
|                          |                 |                      |         |                                  |             |

| NON-PATENT LITERATURE DOCUMENTS |   |
|---------------------------------|---|
| Examiner Initials               | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|                                 | Blumenstein et al. (1978). "Blood Substitutes and Plasma Expanders". Alan R. Liss, editors, New York, New York, pp. 205-212.  |
|                                 | Guyton, A.C. (1982). "Human Physiology And Mechanisms Of Disease" 3 <sup>rd</sup> ed., W.B. Saunders Co., Philadelphia, PA, pp. 228-229.  |
|                                 | Liebhaber et al. (1980). <i>P.N.A.S.</i> 77(12):7054-7058.  |
|                                 | Marotta et al. (1977). <i>J. Biol. Chem.</i> 252(14):5040-5053.   |
|                                 | Nagai et al. (1985). <i>P.N.A.S.</i> 82:7252-7255.  |
|                                 | Prough, D. et al. (1986). <i>J. Neurosurg.</i> 64:627-32.   |
|                                 | Przybelski, R.J. et al.(1997). "The pressor effect of hemoglobin—good or bad?" <i>In Advances in Blood Substitutes.</i> Winslow, R.M., K.D. Vandegriff, and M. Intaglietta eds., Boston, Birkhauser, pp. 71-85.   |
|                                 | Vandegriff and Shrager (1994). "Methods in Enzymology" Everse et al., eds., Academic Press, pp. 232:460.  |
|                                 | Winslow et al. (1997). "Advances in Blood Substitutes" Birkhauser ed., Boston MA, pp. 166-188.  |
|                                 | Winslow et al. (1977). <i>J. Biol. Chem.</i> 252(7):2331-37.  |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.  
CA 86043.1

# **FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

|                        |                          |
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| Application Number     | 10/501,171               |
| Filing Date            | September 27, 2004       |
| First Named Inventor   | Robert M. WINSLOW et al. |
| Examiner Name          | Unassigned               |
| Attorney Docket Number | 034107-046               |

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|                   |                 |                      |         |                                  | Yes         | No |
|                   |                 |                      |         |                                  |             |    |

## **NON-PATENT LITERATURE DOCUMENTS**

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|-------------------|---|
|                   | Blumenstein et al. (1978). "Blood Substitutes and Plasma Expanders". Alan R. Liss, editors, New York, New York, pp. 205-212.  |
|                   | Guyton, A.C. (1982). "Human Physiology And Mechanisms Of Disease" 3 <sup>rd</sup> ed., W.B. Saunders Co., Philadelphia, PA, pp. 228-229.  |
|                   | Liebhaber et al. (1980). <i>P.N.A.S.</i> 77(12):7054-7058.  |
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|                   | Nagai et al. (1985). <i>P.N.A.S.</i> 82:7252-7255.  |
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|                   | Winslow et al. (1997). "Advances in Blood Substitutes" Birkhauser ed., Boston MA, pp. 166-188.  |
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